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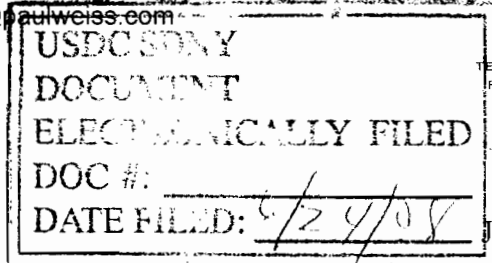
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**By Hand**

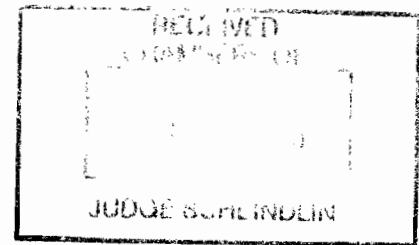
Hon. Shira A. Scheindlin  
U.S. District Court for the  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1620  
New York, New York 10007

*Carfagno v. Schnitzer*, 08 Civ. 00912 (SAS)

Dear Judge Scheindlin:

On behalf of the parties in the above-captioned matter, I write to inform the Court that, pursuant to the Stipulation and Order signed by the Court on June 19, 2008, a conference has been scheduled for May 30, 2008, at 4 p.m., a date that has already passed. The parties respectfully propose that, subject to the Court's availability, the conference be scheduled on one of the following dates: July 21 or 29-31, 2008.

The parties have requested a date in the second half of July 2008 because Vice Chancellor Parsons has scheduled a continuation of the fairness hearing concerning the settlement agreement in the related case pending before the Delaware Chancery Court in *Off v. Ross*, C.A. No. 3468-VCP, on July 15, 2008. All parties believe it would be sensible to meet with Your Honor following that date.



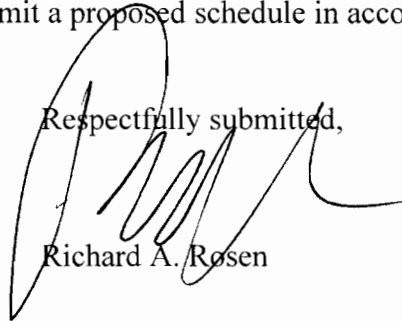
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Hon. Shira A. Scheindlin

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In anticipation of the conference before Your Honor, the parties are conferring and plan promptly to submit a proposed schedule in accordance with the Court's model scheduling order.

Respectfully submitted,



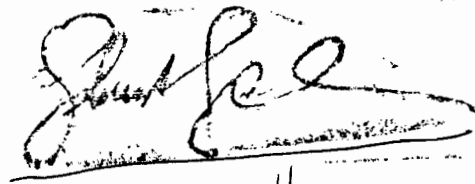
Richard A. Rosen

cc: Beth A. Kaswan, Esq. (By E-mail)  
Peter L. Simmons, Esq. (By E-mail)  
Jennifer F. Beltrami, Esq. (By E-mail)

The parties' request is granted. The conference is adjourned to 4:30 p.m. on Monday, July 21, 2008.

SO ORDERED:

Dated: New York, New York  
June 24, 2008



Shira A. Scheindlin  
U.S.D.J.